



9-16-05

1F3764

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
Robert Lance Cook et al.

Serial No.: 10/076660

Filed: February 15, 2002

For: FLOW CONTROL SYSTEM FOR AN APPARATUS FOR RADially  
EXPANDING TUBULAR MEMBERS

§ Examiner: Sheila Green  
§  
§ Attorney Docket No. 25791.76  
§  
§ Group Art Unit: 3764  
§  
§

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Box Non Fee Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed September 2, 2005, Applicant's hereby submit replacement page 15 of the amendment as filed on August 4, 2005. The replacement page correctly identifies the currently amended claim. A copy of the said notice is also enclosed.

Applicant authorizes the Commissioner to charge any fees or credit any overpayments to Deposit Account No.08-1394, Order No. 25791.76.

Date:


9/15/05

HAYNES AND BOONE, L.L.P.  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 713-547-2301  
Facsimile: 214-200-0853  
25791.76  
H-570236\_1.DOC

Respectfully submitted,



Todd Mattingly  
Registration No. 40,298

CERTIFICATE OF MAILING BY "EXPRESS MAIL"	
"EXPRESS MAIL" LABEL NUMBER:	2V702334898J5
DATE OF DEPOSIT: September 15, 2005	
I hereby certify that this paper and fee are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.	
Stacy Lanier	
TYPE OR PRINT NAME	
SIGNATURE 	



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,660	02/15/2002	Robert Lance Cook	25791.76	9727

27683 7590 09/02/2005

HAYNES AND BOONE, LLP  
901 MAIN STREET, SUITE 3100  
DALLAS, TX 75202

EXAMINER

CHAMBERS, A MICHAEL

ART UNIT PAPER NUMBER

3753

DATE MAILED: 09/02/2005

RECEIVED  
SEP 06 2005

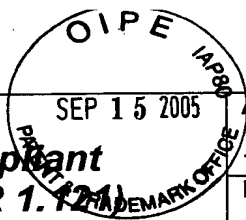
HAYNES and BOONE

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETING COMPLETE

DATE: 9.6.05

BY: caf



# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

10/076,660

Examiner

Sheila Green

Applicant(s)

Art Unit

3764

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

The amendment document filed on 08/04/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Amended is not a proper status identifier.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

*Sheila Green*

Legal Instruments Examiner (LIE)

*571-272-4352*

Telephone No.